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AMENDMENT TO H.R. 5658, AS REPORTED**OFFERED BY MR. Boren of Oklahoma**

At the end of subtitle D of title III, add the following new section:

1 **SEC. 335. EXCEPTION TO ALTERNATIVE FUEL PROCURE-**
2 **MENT REQUIREMENT.**

3 Section 526 of the Energy Independence and Security
4 Act of 2007 (Public Law 110-140; 42 U.S. C. 17142)
5 is amended—

6 (1) by striking “No Federal agency” and insert-
7 ing “(a) REQUIREMENT.—Except as provided in
8 subsection (b), no Federal agency”; and

9 (2) by adding at the end the following:

10 “(b) EXCEPTION.—Subsection (a) does not prohibit
11 a Federal agency from entering into a contract to pur-
12 chase a generally available fuel that is not an alternative
13 or synthetic fuel or predominantly produced from a non-
14 conventional fuel source, if—

15 “(1) the contract does not specifically require
16 the contractor to provide an alternative or synthetic
17 fuel or fuel from a nonconventional fuel source;

1 “(2) the purpose of the contract is not to obtain
2 an alternative or synthetic fuel or fuel from a non-
3 conventional fuel source; and

4 “(3) the contract does not ^{strike}~~support or~~ provide
5 incentives for a refinery upgrade or expansion to
6 allow a refinery to use or increase its use of fuel
7 from a nonconventional fuel source.”.

